Florida Legislative Update 2025
A Dual Perspective

Presented By

SHANNON WIDMAN
DEPUTY GENERAL COUNSEL, THE FUND

AND

TREY GOLDMAN
LEGISLATIVE COUNSEL, FLORIDA REALTORS®

LEGISLATIVE SUMMARIES

BY

CHARLES D. NOSTRA
FUND SENIOR UNDERWRITING COUNSEL

AND

MARILYN R. ISRAEL
FUND SENIOR COMMERCIAL UNDERWRITING COUNSEL

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CONDOMINIUM AND COOPERATIVE ASSOCIATIONS
CHAPTER 2025-__ (CS/CS/HB 913) – EFFECTIVE JULY 1, 2025

This enrolled bill contains numerous provisions affecting the operations of condominium and cooperative associations in Florida. Of particular interest to real property practitioners, this bill provides:

As to Sec. 468.4334, F.S., relating to professional practice standards applicable to community association managers and community association management companies:

- Sec. 468.4334(1)(a), F.S., is revised to provide that community association managers and community association management firms may not knowingly perform any act directed by the community association if such an act violates any state or federal law;
- Sec. 468.4334(1)(b), F.S., is revised to require a community association manager or a community association management firm that has a contract with a community association that is subject to the milestone inspection requirements in Sec. 553.899, F.S., or the structural integrity reserve study requirements in Secs. 718.112(2)(g) and 719.106(1)(k), F.S., must comply with those sections as directed by the board; and
- Sec. 468.4334(1)(c) and (d), F.S., are created to require that a contract between a community association and a community association manager or community association management firm shall include a disclosure that the community association manager shall abide by all professional standards and record keeping requirements imposed pursuant to Part VIII of Ch. 468, F.S. The professional practice standards cannot be waived or limited.

As to Sec. 468.4335, F.S., concerning conflicts of interest various subsections are amended, including:

- Sec. 468.4335(1)(a), F.S., is amended to provide that a rebuttable presumption of a conflict of interest exists where a community association manager or community association management firm, its officers, relatives or persons with a financial interest in the community association management firm, propose to enter into a contract or other transaction with the association for services other than community association management services.

As to Sec. 553.899, F.S., concerning mandatory structural inspections for residential condominium and cooperative buildings, that are three stories or more in height:

- Sec. 553.899(3)(a), F.S., is revised to require the applicability of the mandatory 30-year milestone inspection to residential condominium and cooperative buildings that are “habitable”;
- Sec. 553.899(11), F.S., is revised to require, rather than authorize, the board of county commissioners or a municipal governing body to adopt a specified ordinance requiring the commencement of repairs for substantial structural deterioration within a specified timeframe; and
- Secs. 553.899(12) and (13), F.S., are created to:
    - Require certain specified professionals who bid to perform a milestone inspection to disclose to the association in writing their intent to bid on services related to any maintenance, repair or replacement recommended by the milestone inspection;

- Prohibit certain specified professionals from having any interest in or being related to any person having any interest in the firm or entity providing the association's milestone inspection unless such relationship is disclosed in writing;
- Define the term “relative” and provide that a contract for services is voidable and terminates upon the association filing a written notice terminating such contract if such professionals fail to provide a written disclosure of such relationship;
- Require the local enforcement agency responsible for milestone inspections to provide to the Department of Business and Professional Regulation (DBPR) specified information in an electronic format by a specified date;
- Require DBPR to provide to the Office of Program Policy Analysis and Government Accountability (OPPAGA) all information obtained from the local enforcement agencies by a specified date; and
- Authorize OPPAGA to request from the local enforcement agency any additional information necessary to compile and provide a report to the Florida’s Legislature.

As to Ch. 718, F.S., the Condominium Act and Ch. 719, F.S., the Cooperative Act, relating to associations, bylaws, administrative matters, budget matters, structural integrity reserve study, mandatory milestone inspections, assessments and recall of board members selected amended or created statutes include:

- Secs. 718.111(16)(a) and (b), and 719.104(13)(a) and (b), F.S., are added to authorize condominium and cooperative associations, respectively, including multicondominium associations, to invest reserve funds using best efforts to make prudent investment decisions that carefully consider risk and maximizing returns;
- Sec. 718.111(11)(a), F.S., is amended to clarify that every condominium association must provide adequate property insurance pursuant to subsection (11)(a) and subparagraphs 1., 2., 3., 3.a., and b., and 4., of Sec. 718.111, F.S., regardless of any requirement in the declaration of condominium for different coverage by the association;
- Sec. 718.103(1), FS., revises the term “alternative funding method” to allow for funding of capital expenditures and deferred maintenance obligations for all multicondominium associations by removing the limitation that such funding method only applied to associations operating at least 25 condominiums;
- Secs. 718.112(2)(b)5., and (c)1., F.S., are amended to allow board meetings to be conducted by video conference, provides related requirements, and requires the Division of Condominiums, Timeshares, and Mobile Homes (Division) to adopt rules;
- Sec. 718.112(2)(d)1., and 2., F.S., concerning “unit owner meetings”, is revised to amend subparagraph 1., and create subparagraph 2., which allows unit owner meetings to be held by video conference pursuant to certain requirements and pursuant to rules to be adopted by the Division. Subparagraph 1. is further amended to allow for electronic voting pursuant to Sec. 718.128, F.S.;

- Sec. 718.112(2)(e)1., F.S., is amended to allow budget meetings to be conducted by video conference;
- Sec. 718.112(2)(e)2.a., F.S., is amended to provide that if the proposed budget requires assessments which exceed 115 percent of the assessments for the preceding year, the board shall simultaneously propose a substitute budget that excludes any discretionary expenditures not required to be in the budget;
- Secs. 718.112(2)(f)2.a., 719.106(1)(j)2.a., 718.112(2)(g)1., and 719.106(1)(k)1., F.S., are amended to increase the monetary threshold from $10,000 to $25,000, with an inflation adjustment, for reserve accounts for capital expenditures, deferred maintenance expense or replacement cost and provides these items must be included in the structural integrity reserve study (SIRS).
- Secs. 718.112(2)(f)6., and 719.106(1)(j)6., F.S., relating to the budgets of condominium and cooperative associations, respectively, are amended to require the Division to annually adjust for inflation in January of each year, the minimum $25,000 threshold amount for required reserves;
- Sec. 718.112(2)(f)2.a., F.S., is amended to provide that, if an association votes to terminate the condominium in accordance with Sec. 718.117, F.S., the members may vote to waive the maintenance of reserves recommended by the association's most recent SIRS;
- Secs. 718.112(2)(f)2.c.(I), and 719.106(1)(j)3.a.(I), F.S., are created to provide that reserves for SIRS items may be funded by regular assessments, special assessments, lines of credit, or loans. See Secs. 718.112(2)(f)2.c.(II) and (III), and 719.106(1)(j)3.a.(II) and (III), F.S., for funding requirements applicable to unit-owner controlled associations which must have a structural integrity reserve inspection, authorization to secure a line of credit or loan for capital expenses required by a milestone inspection under Sec. 553.899, F.S., other loan requirements and exceptions to the foregoing funding provisions;
- Sec. 718.112(2)(f)2.d., F.S., is amended to remove the requirement for approval of a majority of the members of a condominium association before the board may temporarily pause the funding of reserves or reduce the amount of reserve funding if the local building official as defined in Sec. 468.603, F.S., determines the entire condominium building is uninhabitable due to a natural emergency, as defined in Sec. 252.34, F.S.;
- Sec. 719.106(1)(j)2.d., F.S., is created to allow cooperative associations to temporarily pause the funding of reserves or reduce the amount of reserve funding in the same manner as set forth in Sec. 718.112(2)(f)2.d., F.S.;
- Secs. 718.112(2)(g)4.a., and 719.106(1)(k)(4)a., F.S., are amended to require, among other things, that the SIRS, at a minimum, must include a recommendation for a reserve baseline funding plan that provides a reserve funding goal sufficient to maintain the reserve cash balance above zero. It may suggest alternative funding schedules if such funding schedules meet the association's maintenance obligations;
- Secs. 718.112(2)(f)2.e., and 719.106(1)(j)3.b., F.S., are created to allow, with certain exceptions, the boards of condominium or cooperative associations that have completed a milestone inspection pursuant to Sec. 553.899, F.S., within the previous two calendar years, to temporarily pause, for a period of no more than

two consecutive annual budgets, reserve fund contributions or reduce the amount of reserve funding for the purpose of funding repairs recommended by the milestone inspection if approved by a majority of the total voting interests of the association; and

- Secs. 718.112(2)(g)1., and 719.106(1)(k)1., F.S., are amended to clarify that the structural integrity reserve study is applicable to "habitable" buildings three stories or higher.

As to Structural Integrity Reserve Study and Milestone Inspection:

- Secs. 718.112(2)(g)3.b., and 719.106(1)(k)3.b., F.S., are created to provide conflict of interest provisions for persons performing the SIRS and the persons performing maintenance, repair, and replacement services recommended by SIRS for condominium and cooperative associations, respectively;
- Secs. 718.112(2)(g)5., and 719.106(1)(k)5., F.S., are amended to provide that the SIRS requirements do not apply to four-family dwellings with three or fewer habitable stories above ground;
- Sec. 718.112(2)(g)7., F.S., is amended to extend the deadline for completion of a required structural integrity reserve study by associations existing on or before July 1, 2022, and controlled by unit owners other than the developer, from December 31, 2024, to December 31, 2025; and
- Secs. 718.112(2)(g)9., and 719.106(1)(k)9., F.S., are created to allow condominium and cooperative associations that have completed a milestone inspection required by Sec. 553.899, F.S., or an inspection completed for a similar local requirement, to delay performance of a required SIRS for no more than two budget years to permit the association to focus its financial resources on completing the repair and maintenance recommendations of the milestone inspection.

Lastly, the bill revises the provision in Sec. 31 of Ch. 2024-244, Laws of Florida, to provide the amendments made to Secs. 718.103(14), 718.202(3) and 718.407(1), (2), and (6), F.S., may not apply retroactively and shall only apply to condominiums for which declarations were initially recorded on or after October 1, 2024.

MY SAFE FLORIDA CONDOMINIUM PILOT PROGRAM
CHAPTER 2025-__ (CS/CS/HB 393) – EFFECTIVE UPON BECOMING LAW

This enrolled bill amends Sec. 215.55871, F.S., relating to the My Safe Florida Condominium Pilot Program. Specifically, the bill:

- Amends the definition of "condominium" to exclude detached units on individual parcels of land;
- Limits participation in the pilot program to certain structures and buildings with milestone inspection and structural integrity reserve requirements;
- Prohibits a condominium association from applying for an inspection or grant unless the windows of the association property or condominium property are

established as common elements in the declaration and the association has complied with certain inspection requirements;
- Reduces approval of unit owners required to approve the application for the grant from 100 percent to 75 percent of unit owners;
- Clarifies that the two for one grant matching must be toward the actual cost of the project;
- Revises the amount that may be funded for roof-related and "opening protection-related" projects, including projects related to exterior doors, garage doors, windows, and skylights;
- Revises the roof improvements that are eligible for funding;
- Requires improvements be identified in final hurricane mitigation to receive grant funds;
- Requires grant funds be awarded only for water intrusion mitigation devices or water intrusion mitigation improvements that will result in a mitigation credit, discount, or other rate differential; and
- Requires the Department of Financial Services to require mitigation improvements be made to all openings, including exterior doors, garage doors, windows, and skylights, if doing so is necessary for the building or structure to qualify for a mitigation credit, discount, or other rate differential, as a condition of awarding a grant.

AFFORDABLE HOUSING
CHAPTER 2025-__ (CS/CS/SB 1730, SECOND ENGROSSED) - EFFECTIVE JULY 1, 2025

This enrolled bill amends various provisions of the "Live Local Act", Ch. 2023-17, Laws of Fla., which affects affordable housing related programs and policies at the state and local levels, including zoning and land use preemptions favoring affordable housing, funding for state affordable housing programs, and tax provisions intended to incentivize affordable housing development. Specifically, the bill:

- Clarifies the application of the zoning preemption by defining "commercial," "industrial" and "mixed-use" zoning;
- Increases incentives for constructing affordable housing for employees of healthcare providers and governmental entities;
- Authorizes but does not require local governments to permit development on adjacent properties to proposed developments authorized under the Live Local Act;
- Authorizes development of affordable housing on parcels owned by religious institutions, regardless of zoning, under certain conditions;
- Requires authorization of multifamily and mixed-use development in flexibly zoned areas under certain circumstances;
- Prohibits local governments from requiring amendments to developments of regional impact before allowing affordable housing development;
- Prohibits local governments from requiring a certain amount of residential usage in mixed-use developments;

- Prioritizes docketing and prevailing party attorneys' fees (up to $250,000) in lawsuits brought under the Live Local Act;
- Except in certain circumstances, prohibits local governments from enforcing building moratoria that would delay the permitting or construction of affordable housing developments; and
- Clarifies zoning definitions.

Beyond the Live Local Act, the bill also:

- Enacts a state policy under new Sec. 420.5098, F.S., related to public sector and hospital employer-sponsored housing; and
- Clarifies that the Fair Housing Act prohibits local governments from discriminating in land use decisions based on the nature of a development as affordable housing.

EMERGENCY PREPAREDNESS AND RESPONSE
CHAPTER 2025-__ (CS/CS/SB 180, FIRST ENGROSSED) – EFFECTIVE JULY 1, 2025

This enrolled bill makes various changes relating to the preparation and response activities of state and local government when emergencies impact the state. Such changes include, but are not limited to, the following:

- Creates Sec. 252.392, F.S., providing, among other things, post-storm county and municipal permitting procedures and certain limitations on permitting and inspection fees to expedite recovery and rebuilding after a hurricane or tropical storm. Requiring counties and municipalities to publish hurricane and tropical storm recovery permitting guide for residential and commercial property owners on their websites.
- Revises Sec. 161.101, F.S., to authorize the Department of Environmental Protection (DEP) to waive or reduce local government match requirements for counties impacted by erosion caused by Hurricanes Debby, Helene or Milton;
- Revises Sec. 193.4518, F.S., to provide a tangible personal property assessment limitation, during a certain timeframe and in certain counties, for certain agricultural equipment that is unable to be used due to Hurricanes Debby, Helene, or Milton;
- Revises Sec. 252.385, F.S., the public hurricane shelter funding prioritization requirements for the Division of Emergency Management (DEM). Requires DEM to provide an annual report to the Governor, the President of the Florida Senate, and Speaker of the House of Representatives, providing a 5-year statewide emergency shelter plan, which includes, among other required information, general information on shelter needs throughout the state, identifying shelters by county which accept pets and shelters which are special needs shelters, including the location and square footage of such special needs shelters;
- Revises Sec. 250.375, F.S., to authorize the Florida National Guard servicemembers to provide medical care in specified circumstances;

- Revises Sec. 380.0552, F.S., as to the maximum evacuation clearance time for permanent residents of the Florida Keys Area, which time is an element for which amendments to local comprehensive plans in the Florida Keys Area must be reviewed for compliance, etc.;
- Creates Sec. 252.392, F.S., to provide procedures and resources necessary to promote expeditious debris removal following a hurricane or tropical storm; and
- Amends Sec. 403.7071, F.S., to require counties and municipalities to apply to DEP for authorization to designate at least one debris management site; and authorizing municipalities to apply jointly with a county or another adjacent municipality for authorization of a minimum number of debris management sites if such entities approve a memorandum of understanding.

FLOOD DISCLOSURES
CHAPTER 2025-__ (CS/CS/SB 948, FIRST ENGROSSED) - EFFECTIVE OCTOBER 1, 2025

This enrolled bill creates Sec. 83.512, F.S. (residential leases), amends Sec. 723.011, F.S. (mobile home parks), amends Secs. 718.503 and 719.503, F.S., (sales or leases of condominium or cooperative, respectively) to require flood disclosures in sales contracts, and both standard residential (1 year or longer) and long-term rental agreements (defined as an unexpired term of more than 5 years), as applicable.

The required disclosure language is provided in the bill and it:

- Informs the tenant/purchaser that renter's/homeowner's insurance policies do not include coverage for flood damage;
- Requires the landlord/developer to state whether they know of any flood damage to the dwelling unit that has occurred during their ownership;
- Requires the landlord/developer to state whether they have filed an insurance claim for flood damage related to the dwelling unit;
- Requires the landlord/developer to state whether they have received assistance for flood damage to the dwelling unit from the Federal Emergency Management Agency or other entities; and
- Provides remedies for failure to disclose in the event of loss.

ELECTRONIC DELIVERY OF NOTICES BETWEEN LANDLORDS AND TENANTS
CHAPTER 2025-16 (CS/CS/CS/HB 615) – EFFECTIVE JULY 1, 2025

This law amends sections of Ch. 83, F.S., to provide for electronic delivery of notices between landlords and tenants. Specifically, it creates Sec. 83.505, F.S., and amends Secs. 83.49, 83.50, 83.51, 83.56, and 83.575, F.S. Of note, the law:

- Authorizes a landlord or tenant to deliver notices electronically to the other, if the parties have voluntarily signed a specific rental agreement addendum electing electronic delivery and provided a valid email address for such purpose;

- Provides landlord and tenant rental agreement addendum forms which include certain terms relating to voluntariness, revocation and updates;
- Authorizes prospective revocation and specifies revocation effective upon delivery;
- Authorizes email address updates and specifies update effective upon delivery;
- Deems "delivery" to be at time email is sent unless returned undeliverable;
- Establishes record keeping requirements of sender;
- Indicates electronic delivery does not preclude service of notices by any other means permitted by law; and
- Updates notice requirements and forms relating to deposits or advance rent to include electronic delivery.

LIMITED LIABILITY COMPANIES (SERIES LLC)
CHAPTER 2025-__ (CS/SB 316) – EFFECTIVE JULY 1, 2026

This enrolled bill adopts a modified version of the Uniform Protected Series Act promulgated in 2017 by the Uniform Law Commission. Before passage of the bill, Ch. 605, F.S., did not recognize or refer to the series LLC. The bill amends Ch. 605, F.S., to provide for the creation of a protected series limited liability company under Florida law and the transaction of business by a foreign series LLC and its protected series in Florida. The bill:

- Adds a modified version of the Uniform Protected Series Act to Ch. 605, F.S., as Secs. 605.2101-605.2802, F.S.;
- Provides for the formation of a Florida protected series LLC;
- Establishes conventions for naming the series LLC and protected series and requires that the name of each protected series must begin with the series LLC's name and contain the phrase "protected series" or abbreviation "P.S." or "PS";
- Provides that a protected series is a "person" distinct from the series LLC or another protected series of the series LLC;
- Provides for powers and duties of a protected series;
- Provides that a series LLC's operating agreement generally governs the affairs of the series LLC;
- Adopts provisions relating to the conduct of business in Florida by a foreign series LLC and the protected series of the foreign series LLC including certificates of authority to transact business, naming conventions, and identification of a person who has the authority to manage the foreign series LLC and each protected series;
- Adopts requirements when a foreign series LLC or a protected series becomes a party to any civil or administrative proceeding in Florida, including disclosure of each of the foreign protected series, the managers and registered agents, and providing for procedures where the foreign LLC fails to comply;

- Requires that the annual report of a series LLC and a foreign series LLC must list the name of each protected series in its annual report where the series LLC has delivered to the Department of State a protected series designation;
- Adds a definition of “associated assets” to define a process for determining what assets are associated with each protected series based on the creation and maintenance of specified records sufficient to permit a determination by a disinterested reasonable individual about the asset;
- Establishes rules for management;
- Provides that only a member of the series LLC may be a member of a protected series;
- Provides for procedures for the merger of a series LLC;
- Provides for dissolution and winding up and also provides that to complete the winding up of a series LLC that every protected series must also have completed all procedures for winding up;
- Provides for horizontal (protected series to protected series) and vertical (protected series to series LLC) liability shields, and procedures to disregard the liability shields;
- Provides for remedies and limitations on judgment creditors;
- Provides that a judgment against a series LLC may be enforced against assets of a protected series of the series LLC where the assets were a non-associated assets on the incurrence date or the enforcement date of the judgment;
- Provides that a judgment against a protected series may be enforced against assets of the series LLC and the other protected series of the series LLC where the assets were a non-associated assets on the incurrence date or the enforcement date of the judgment;
- Provides that Florida law applies to enforcement of claims against non-associated assets of foreign LLCs and foreign protected series where the asset is real or tangible personal property located in Florida, the claimant is a resident of Florida or is authorized to transact business in Florida and the asset is not identified in the records of the foreign series LLC or foreign protected series in a manner required by Florida law as to a Florida series or Florida protected series;
- As to real estate, provides that a deed into either a series LLC or a protected series is only a “record” that the property is an associated asset, and does not provide that the deed conclusively establishes that the real estate identified in the deed is an associated asset of the grantee. As a result, under this statute a creditor of a foreign or Florida series LLC or a protected series can claim that real estate deeded to a series LLC or a protected series is not, in actuality, an associated asset of the grantee of the deed and thereby attempt to enforce judgments against real estate deeded to either the series LLC or a protected series even where the

series LLC or the protected series is not a party to the judgment or the proceeding resulting in the judgment;

- Provides in Sec. 605.2301(2)(b), F.S., that "[a] deed or other instrument granting an interest in real property to or from one or more protected series of a series limited liability company, or any other instrument otherwise affecting an interest in real property held by one or more protected series of a series limited liability company, in each case to the extent such deed or other instrument is in favor of a person who gives value without knowledge of the lack of authority of the person signing and delivering a deed or other instrument and is recorded in the office for recording transfers or other matters affecting real property, is conclusive of the authority of the person signing and constitutes a record that such interest in real property is an associated asset or liability, as applicable, of the protected series";
- Provides for establishment of registered agents and service of process; and
- Otherwise provides generally for a framework for the formation, operation, and recognition of both Florida and foreign series LLCs and the protected series in Florida.

CUSTOMARY USE OF BEACHES
CHAPTER 2025-__ (CS/SB 1622) - EFFECTIVE UPON BECOMING LAW

This enrolled bill repeals Sec. 163.035, F.S., which provided statutorily for the establishment of recreational customary use of beaches. Additionally, the bill bypasses certain statutory procedures to declare the mean high water line to be the erosion control line (ECL) in certain counties as determined by survey conducted by the Board of Trustees of the Internal Improvement Trust Fund. It also authorizes the Department of Environmental Protection to proceed with beach restoration projects for certain areas it designated as critically eroded, and provides that notwithstanding Sec. 161.141, F.S., such projects do not require public easements. The bill also declares that any additions to property seaward of the ECL which result from the restoration project remain state sovereignty lands.

PROPERTY RIGHTS (SQUATTERS)
CHAPTER 2025-__ (CS/CS/SB 322) - EFFECTIVE JULY 1, 2025

This enrolled bill relates to the right to exclude others from entering or remaining on residential and commercial real property. Specifically, it creates Sec. 82.037, F.S., amends Secs. 82.036, 689.03, 806.13, and 817.0311, F.S., and reenacts Secs. 775.0837(1)(c) and 895.02(8)(a), F.S. Of note, the bill:

- Amends the statutory form Complaint to Remove Persons Unlawfully Occupying Residential Real Property;

- Creates a limited alternative remedy to remove unauthorized persons from commercial real property under certain conditions;
- Permits a property owner or his or her authorized agent to request the sheriff immediately remove unlawful occupants based upon the filing with the sheriff of a complete and verified Complaint to Remove Persons Unlawfully Occupying Commercial Real Property;
- Provides a form for said complaint which contains necessary representations;
- Requires the sheriff upon receipt of a complaint to verify the filer as the property owner or authorized agent;
- Requires sheriff, once filer verified, to without delay serve a notice to immediately vacate on all unlawful occupants and put the owner in possession of the real property and provides procedures therefor;
- Authorizes sheriff's fees and hourly rate charges;
- Immunizes from any liability for loss, destruction, or damage of property: the sheriff completely, and the property owner or his or her authorized agent unless removal was not in accordance with this section;
- Provides restoration of possession and damages as remedies for wrongful removal;
- Cures an incorrect statutory reference in Ch. 689, F.S.; and
- Extends the following crimes applicability to commercial real property: (a) Unlawfully detaining or trespassing and intentionally causing at least $1,000 in damages - second-degree felony, (b) Using a false document purporting to be a valid lease or deed - first-degree misdemeanor, and (c) Fraudulently listing for sale or renting or leasing without possessing an ownership right to or leasehold interest in the property - first-degree felony.

ADVERTISEMENTS FOR REPRESENTATION SERVICES (NOTARY PUBLIC FRAUD)
CHAPTER 2025-__ (CS/HB 915) – EFFECTIVE JULY 1, 2025

This enrolled bill relates to notary public fraud. Specifically, it amends Sec.117.05, F.S., and creates Secs. 117.051 and 501.1391, F.S. Of note, the bill:

- Prohibits non-lawyer notaries public from advertising which conveys or implies professional legal skills in immigration law including prohibiting use of specified terms;
- Requires non-lawyer businesses and persons who offer immigration services to post a specific conspicuous "I am not an attorney" notice; and
- Provides civil actions for violations of the above through declaratory & injunctive relief, damages, attorney fees and costs.

SERVICE OF PROCESS
CHAPTER 2025-13 (CS/HB 157) – EFFECTIVE UPON BECOMING LAW, EXCEPT AS OTHERWISE PROVIDED

This law amends sections of Ch. 48, F.S., relating to service of process. Of note:

- Sec. 48.091, F.S., expands the hours that a registered agent is required to maintain for service of process, specifies that certain registered agents may be served in a specified manner, and provides specifics for service on an employee of a registered agent;
- Sec. 48.101, F.S., revises service on dissolved business entities and entities in receivership; and
- Secs. 48.161 & 48.181, F.S., revises substitute service for parties that conceal their whereabouts.

FLORIDA TRUST CODE
CHAPTER 2025-18 (CS/CS/HB 1173) – EFFECTIVE UPON BECOMING LAW

This law relates to trusts. Specifically, it amends Secs. 736.0110, 736.0106, 736.0405, F.S., and re-enacts Sec. 738.303(2)(b) and (d), F.S. Of note, the law:

- Grants the Attorney General the exclusive authority to represent certain parties having a special interest in a charitable trust, including the general public, in any judicial proceeding, when Florida is the principal place of administration for the charitable trust.

TRUSTS
CHAPTER 2025-__ (CS/CS/SB 262)– EFFECTIVE UPON BECOMING LAW

This enrolled bill relates to trusts. Specifically, it amends Secs. 736.04117, 736.08125, 736.1502, and 736.151, F.S.; and creates Secs. 736.10085 and 736.1110, F.S. Of note, the bill:

- Clarifies that an “authorized trustee” will not be considered a settlor of a second trust;
- Expands the power of the “authorized trustee” to include the power to modify the terms of the “first trust”;
- Bars actions against prior trustees by certain parties;
- Provides that property which is given to a donee or distributed from a revocable trust to a donee during the settlor’s lifetime will act to satisfy a devise to or from a revocable trust under certain circumstances;
- Expands the definition of a “Community Property Trust”; and
- Clarifies that the transfer of homestead property to a Community Property Trust is not considered a “change of ownership” for the purposes of homestead property tax assessments.

PLATTING
CHAPTER 2025-__ (CS/CS/CS/SB 784) - EFFECTIVE JULY 1, 2025

This enrolled bill amends Sec. 177.071, F.S., with respect to how local governments review and approve plats. Specifically, the bill:

- Requires local governments review, process, and administratively approve plats or replat submittals without action or approval by the governing body through an "administrative authority", or official designated by ordinance; and
- Defines the "administrative authority" as a department, division, or other agency of the local government, including administrative officers or employees such as a county or city administrator or manager, or assistant or deputy thereto, or other high-ranking county or city department or division director with direct or indirect oversight responsibility for the local government's land development, housing, utilities, or public works programs.

This authority must provide written notice in response to a submittal within seven days acknowledging receipt, identifying any missing documents or information required, and providing information regarding the approval process including requirements and timeframes.

The authority must approve, approve with conditions, or deny the submittal within the timeframe identified in the initial written notice unless the applicant requests an extension.

Any denial must be accompanied by an explanation of why the submittal was denied, specifically citing unmet requirements.

LEGAL TENDER
CHAPTER 2025-__ (CS/HB 999, FIRST ENGROSSED) – EFFECTIVE JULY 1, 2026, EXCEPT AS OTHERWISE PROVIDED

This enrolled bill relates to legal tender. Specifically, it amends Secs. 212.05, 560.103, 560.109, 560.141, 560.142, 560.204, 560.205, 655.50, 672.511, 731.1065, and 559.952, F.S.; and creates Secs. 215.986, 280.21, 560.145, 560.155, 560.214, and 655.97, F.S. Of note, the bill recognizes effective January 1, 2026, certain high purity gold and silver coins and certain electronic transfers thereof as legal tender for the payment of contractual debt, including judgments. It makes acceptance of such payment optional in most circumstances unless required by contract and provides certain liability protection for refusal to accept it. The bill provides detailed regulation for acceptance, storage, trading and use. Lastly, the bill removes this legal tender from sales tax under Sec. 212.05, F.S. and applies anti-money laundering laws to it.

ANNEXING STATE-OWNED LANDS
CHAPTER 2025-__ (CS/CS/SB 384) – EFFECTIVE JULY 1, 2025

This enrolled bill amends Sec. 171.0413, F.S. After advertising the first public hearing on adopting an ordinance to annex state-owned lands, a municipality must notify the legislative delegation for that county by writing or e-mail. The bill also reenacts Sec.

101.6102, F.S. (mail ballot elections), and Sec. 171.042, F.S. (prerequisites to annexation) for purposes of incorporation.

UNIFORM COMMERCIAL CODE
CHAPTER 2025-__ (CS/CS/HB 515, FIRST ENGROSSED) – EFFECTIVE JULY 1, 2025

This enrolled bill relates to the Uniform Commercial Code. Specifically, it creates Ch. 669, F.S., to incorporate newly-promulgated Article 12 of the Model Uniform Commercial Code relating to controllable electronic records. It provides updated rules for commercial transactions involving virtual currencies, distributed ledger technologies, artificial intelligence, and other technological developments. The bill establishes a framework allowing creditors to secure liens against digital assets owned by debtors.

TIMESHARE MANAGEMENT PLAN
CHAPTER 2025-__ (CS/HB 897) – EFFECTIVE JULY 1, 2025

This enrolled bill exempts community association managers (CAMs) and CAM firms from certain requirements and prohibitions relating to conflicts of interest if the CAM or CAM firm:

- Manages a timeshare plan governed by the Vacation Plan and Timesharing Act (Timeshare Act); and
- Provides certain conflict of interest disclosures under the Timeshare Act.

Further, the bill specifies that timeshare management firms and licensed CAMs that are employed by a timeshare management firm are not governed by Sec. 468.4335, F.S. but rather are governed by Secs. 468.438 and 721.13, F.S. The bill requires timeshare management firms (TMFs) and licensed CAMs, employed by a TMF to act in good faith and defines the standard of care required. It exempts TMFs and licensed CAMs from liability for monetary damages unless the TNF or CAM breached or failed to perform their duties, and the breach or failure constitutes:

- A violation of criminal law as provided in Sec. 617.0834, F.S.;
- A transaction from which the firm or licensed CAM derived an improper personal benefit, either directly or indirectly; or
- Recklessness or an act or omission that was in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

Additionally, the bill requires timeshare condominium boards to meet only once a year, unless additional board meetings are called. Lastly, the bill requires annual disclosure to the members of that owners' association by certain prescribed methods set

forth in the bill if a TMF or an owners' association provides goods or services through a parent, affiliate, subsidiary, or related party.

EDUCATION (CHARTER SCHOOLS)
CHAPTER 2025-__ (CS/CS/HB 443) – EFFECTIVE JULY 1, 2025

This enrolled bill revises current provisions relating to charter schools, charter school sponsors and the use and disposal of school district real property. Of particular interest to real estate practitioners, this bill:

- Amends Sec. 1002.32(9), F.S., to expand a charter lab school's use of its discretionary capital improvement funds for: the purchase real property; the construction of school facilities; the purchase or lease of permanent or relocatable school facilities; the renovation, repair and maintenance of school facilities that the charter lab school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer; payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities; and payment of the cost of the opening day collection for the library media center of a new school. Subsection (9) is further amended to require that any purchase, lease-purchase or lease must be at or below the appraised value as defined in subsection (9);
- Amends Sec. 163.3180, F.S., to provide that a charter school is a public facility for the purpose of concurrency;
- Amends Sec. 1002.33, F.S., to add subsection (26)(d), which prohibits a landlord, the spouse of a landlord, an officer, director or an employee of an entity landlord, or the spouse of such officer, director or employee, from being a member of a governing board of a charter school unless the charter school was established pursuant to Sec. 1002.33(15)(c), F.S.; and
- Amends Sec. 1002.33(18), F.S., to add subsection (h), to provide that facility capacity for purposes of expansion must include any improvements to an existing facility or any new facility in which the students of the charter school will enroll.

LOCAL GOVERNMENT LAND REGULATION
CHAPTER 2025-__ (CS/SB 1080, SECOND ENGROSSED) – EFFECTIVE OCTOBER 1, 2025

This enrolled bill amends Sec. 125.022, F.S., to specify the minimum information necessary for applications for zoning approval, rezoning approval, subdivision approval, certification, special exceptions or variance. Sec. 163.3180, F.S., is amended to prohibit a school district from collecting, charging or imposing certain fees unless they meet certain requirements. Sec. 163.3184, F.S., is amended to revise the expedited state review process for adoption of comprehensive plan amendments. Sec. 166.033, F.S., is amended to require municipalities to specify minimum information necessary for certain applications.

PUBLIC RECORDS/CONGRESSIONAL MEMBERS AND PUBLIC OFFICERS
CHAPTER 2025-__ (CS/CS/SB 268) - EFFECTIVE JULY 1, 2025

This enrolled bill exempts identifying information of certain state and local officials, their spouses and children, from certain public records copying and inspection requirements. Specifically, the bill exempts from disclosure:

- Partial home addresses, telephone numbers, dates of birth, and photographs of current congressional members, or public officers, their adult children and spouses;
- Names, dates of birth of public officer's minor children, if any; and
- Names and locations of schools and day care facilities of public officer's minor children.

Additionally, the bill provides a process for a qualifying individual to request and to maintain the public records exemption and requires a statement of the office held by the individual and the duration of their term.

GEOENGINEERING AND WEATHER MODIFICATION ACTIVITIES (CONTRAILS/CHEMTRAILS)
CHAPTER 2025-__ (CS/CS/SB 56) – EFFECTIVE JULY 1, 2025

This enrolled bill prohibits geoengineering and weather modification activities. Specifically, the bill:

- Defines Geoengineering and Weather Modification as, and prohibits the injection, release, or dispersion, by any means, of a chemical, a chemical compound, a substance, or an apparatus into the atmosphere within the borders of this state for the express purpose of affecting the temperature, weather, climate, or intensity of sunlight;
- Provides that such activities are now a third-degree felony, punishable by up to five years imprisonment and fines of up to $100,000, except aircraft operators and controllers who are subject to a fine of up to $5,000;
- Directs the Department of Environmental Protection (DEP) to establish a dedicated e-mail address and online form to allow the reporting of suspected activities and requires DEP to investigate any report warranting further review and, when appropriate, to refer reports of observed violations to the Department of Health or the Division of Emergency Management;
- Repeals all other existing weather modification statutes in Ch. 403 F.S.; and
- Removes DEP's authority to conduct programs of study, research, experimentation and evaluation in the field of weather modification.

Beginning on October 1, 2025, all operators of publicly owned airports must file monthly reports to Florida's Department of Transportation (DOT) on the presence of any aircraft equipped with any components or devises that can be used for intentional dispersion of geoengineering agents. Lastly, the bill prohibits DOT from expending state funds to noncompliant airports.

BILLS STILL BEING CONSIDERED IN EXTENDED 2025 REGULAR LEGISLATIVE SESSION

RURAL COMMUNITIES (RURAL RENAISSANCE) (CS/SB 110) - EFFECTIVE JULY 1, 2025

This bill is currently being considered in both chambers in the extended term of the 2025 Legislative Session. As of the writing of this summary, the Senate version addresses several issues for the benefit of rural communities and creates a statewide office to coordinate the advancement of rural communities. The bill amends several programs and regulations in various policy areas and provides funding and appropriations for the initiatives to support a “rural renaissance” in Florida. It impacts various departments including the Departments of Commerce, Transportation, Education and the Florida Housing Finance Agency.

The House proposed Amendment 605877 changes the bill name to “Community and Economic Development”, incorporates the provisions of CS/CS/HB 991 and includes the provisions of CS/SB 110 that only address the Department of Commerce and the FDOT. It excludes appropriations and funding through documentary stamp revenues and title fee revenues to FDOT for the Florida Arterial Road Modernization and Small County Road Assistance programs. The amendment includes various provisions not included in CS/SB 110 relating to terminating community redevelopment agencies; prohibiting local governments from certain building permit requirements and denials; and revising DBPR’s authority by repealing several boards, commissions, and councils within DPBR and modifying many licensure regulations. The amendment was rejected by the Senate and the Senate has asked the House to recede.

TAXATION (CS/HB 7033) – EFFECTIVE JULY 1, 2025

This bill is currently being considered in both chambers in the extended term of the 2025 Legislative Session. This engrossed bill is a comprehensive tax bill which amends or creates numerous sections of the Florida Statutes. Of particular interest to real property practitioners, Chs. 125, 166, 170, 189, 194 and 196, F.S., are amended as described below.

- Sec. 194.011(4) and (5), F.S., are amended to require the property appraiser to provide a value adjustment board (VAB) petitioner with the evidence intended to be presented at a VAB hearing at least 15 days prior to the hearing and removes the current law requirement that a petitioner must provide a written request to receive the property appraiser’s evidence;
- Sec. 194.013(1), F.S., is amended to increase the maximum filing fee that may be required to file a petition with the VAB concerning real property from $15 per parcel to $50 per parcel;

- Sec. 194.032(2)(b), F.S., is amended to allow any party to a VAB hearing to appear telephonically, by video conference, or by other electronic means. The bill also requires the VAB to provide sufficient equipment to allow clear communication and to create any necessary hearing records;
- Sec. 196.1978(1)(b), F.S., concerning affordable housing ad valorem tax exemptions, is amended to include land leased by certain nonprofit corporations, providing certain qualifications are met. This exemption is also expanded to include improvements;
- This bill repeals the opt out provision for local governments from the affordable housing "missing middle" exemption from ad valorem taxes set forth in Sec. 196.1978(3), F.S., thereby making the Live Local Act's missing middle exemption mandatory for all jurisdictions. This bill further specifies that any election to opt out made by a local government on or before July 1, 2025, will continue for the original term of the election but may not be renewed;
- This bill creates Sec. 196.19781, F.S., which provides, under certain conditions, a new property tax exemption for affordable housing projects located on land owned by the state of Florida where the improvements are owned and operated by private parties. The exemption under this section requires an annual application and does not apply to any project receiving an existing affordable housing exemption under Sec. 196.1978, F.S.;
- Sec. 170.201, F.S., is amended to add public and private preschools to the list of educational institutions that municipalities may exempt from special assessments. The bill defines a preschool as a childcare facility licensed under Sec. 402.305, F.S.; and
- Secs. 125.0168, 166.223, and 189.052, F.S., are amended to change the way special assessments may be levied on recreational vehicle parks.

Incidentally, HB 411 also includes the proposed expansion of existing ad valorem property tax exemption to nonprofit charities pursuant to Sec. 196.1978(1), F.S., as discussed above.

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Note:

This year the Legislature convened on March 4, 2025, adjourned on May 2, 2025, and extended the 2025 Regular Session of the Legislature until June 6, 2025, for consideration of budget related bills and CS/SB 100. See HCR 1631 for further details.

This summary is effective as of May 2, 2025. In addition, please note that this summary is not intended to cover every bill or every aspect of every bill that might be of interest to real estate attorneys. For purposes of this summary, the bills listed have either been signed into law by the Governor or passed both houses and are

awaiting the Governor's signature. They are perceived to be of significant interest to FUND Members. In order to become law, the bill must pass both houses and be signed into law by the Governor.

For more complete information on a certain bill or to download and/or print complete bills, please go to www.myfloridahouse.gov or www.flsenate.gov. You can download and print the bills of both houses at either site. Both sites also have bill trackers so you can track bills for either house during the next legislative session.

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